

NOVEMBER/01 CRAMMING RULE	NOVEMBER/01 COMMENTS	AUGUST/01 COMMENTS	JUNE/01 COMMENTS
2001-Definitions: 1. Authorized Carrier. 2. Commission. 3. Customer. 4. Subscriber. 5. Telecommunications Company. 6. Unauthorized Charge.	Qwest- Eliminate entire section, existing rules cover issues. ARS 40-1573-4 does not authorize rules on cramming. <i>Arizona Title 40 provides ACC authorization for regulation of public service corporations.</i>	Qwest-Provides revised section Rural LEC- exclude ACC authorized charges. WorldCom-Preferred Carrier Services should be excluded, per-transaction excluded. Qwest exclude taxes, assessments.	AT&T Revise Cramming to eliminate one-time, and pass through items. Rural LECs- Delay any action on the proposed rules, use “any intrastate telecommunications charges.” Qwest- wrong in entire approach. Cox Com. The rules are a burden, not needed. WorldCom- FCC/Truth and Billing requirements and Federal Trade Commission is enough.
2003-Application: Each Telecom company	Verizon- exempt wireless, no need to hamper wireless, no record of violations.	Rural LECs consistent w/1900 section.	No Comment
2004-Requirements for submitting Authorized Charges: 1. Provide billing agent with list and description of services. 2. Specify service being billed. 3. Provide toll free number.	No Comment	Rural LECs replace “submitting” w/ “billing.” Qwest –Require reasonable action to be aware of product, allow toll free number, no requirement. Exclude one time services. WorldCom-Focus on Non-telecommunications products crammed.	Rural LECs- Add “for services regulated by the Commission.” WorldCom-Eliminate per-transaction. Qwest- As billing agent only provide toll free number, not address, doe not have written agreements with each provider, contract with aggregator. AT&T use subscriber, verification burdensome. Cox Com. Include “regulated by ACC.”
2005 Authorization Requirements. 1. Verify subscriber 2. Acknowledge charge 3. Provide explanation of service	No Comment	Rural LECs use “or.” WorldCom- allow scripts. Qwest revise, use “reasonable assurances” not certification, don’t	Rural LEC- concern with verification of customer. Qwest- use telecom company, Qwest does not inform of charges.

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and charge, cancellation policy toll free number 4. Records for 12 months		require all charges to be discussed.	AT&T what “qualifies a customer? Use Subscriber, pay per call @FCC/Federal Trade Commission. WorldCom Third Party Verification is onerous.
2006 Unauthorized Charges Upon notification, company shall: 1. Cease charging. 2. Remove unauthorized charge within 45 days. 3. Refund or credit payments. 4. Provide Bills. 5. Records for 12 months. 6. Not rebill customer, unless accurate. 7. No disconnect. 8. Customer pays regular charges.	No Comment	AT&T- strike “immediately” as inconsistent with 60 days. Allow individual records of complaints to be maintained, produced. Rural LECs- 2 years too long. Adjust rebilling provision. Qwest- use existing complaint forum, provide individual records, allow credit reporting. WorldCom- billing agent clarification.	Rural LECs Allow Websites and electronic signatures for customer authorization. AT&T-Revise rule to reflect ACC jurisdiction, extend 45 days to 60, provide rebilling allowed if accurate, customer should pay charges not in dispute. Qwest Clarify whether requirements are for billing provider or the billing vendor. It could take more than time allowed to resolve; burdensome, 2 years of records is excessive. Cox Com. This is beyond FCC Truth and Billing, requiring Cox to confirm every order is burdensome, most changes come from telephone, not written, Third Party Verification costs \$5 per call.
2007 Notice of subscriber rights (may be combined with 1900 notice). 1. Provide each subscriber, as new customer, in tele. Directory, on Website. 2. Includes Contact Info. 3. Description of prohibitions.	AT&T can’t adjust verbiage or Website to meet requirement.	AT&T-Insert “who suspects they may have been charged.” Qwest Do not require address of carrier. Rural LECs- Single notice for 1900/2000. WorldCom-Clarify to ensure affect on	Qwest is required by Federal Trade Commission and FCC to send annual Consumer Rights bill insert. Customer should not be required to contact ACC. AT&T- Clarify who has made “cram” determination, use local directories to publish, Websites of

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4. Remedies. 5. Reporting.		LECs. RUCO- Explain why ACC should be informed.	ACC.
2008 Informal Complaint Process 1. May file within 90 days of notice of Unauthorized Charge. 2. In writing, telephone or e-mail. 3. Information to process. 4. ACC Staff to assist possible resolution. 5. Notify affected carriers of complaint. Require response in 5 days. 6. Documentation of authorization within 10 days. 7. Review/notify findings. 8. Party may appeal, or make formal complaint.	No Comment	AT&T request copies of the bill. Cox Communications- Insert “rebuttable” for presumption. Rural LECs-5 business days too short. Make clear company no bound by Arbitrator. WorldCom-Process not good for resolving cramming issues, use current complaint process. Qwest- Company should not have burden of proof.	Qwest customers should call company to resolve complaints. Cox Com. Customer should not be required to contact ACC, Cox does not have directory, 5 days is to little. AT&T revise to reflect ACC jurisdiction, make 10 business days 20, for the company to respond to Staff, not provide documentation. Make a time frame for Staff to resolve complaint.
2009 Comp/Enforcement If ACC finds violation, ACC may impose penalties. Penalties are in addition to all other causes of action, remedies and penalties.	No Comment	Rural LECs require both notice and hearing prior to fines.	Cox Com- Ensure due process.
2010 Waiver available upon showing of public interest.	No Comment	Include Wavier	No Comment